



SEPTEMBER 29 - OCTOBER 3, 2014

In This Issue:

> [Update on Immigration Compliance in Ghana for Oil and Gas Sector](#)

[Ian Macdonald](#)

As an update to our recent blog post on Ghana and increased immigration compliance in Africa in general, employers in the oil and gas sector are starting to give feedback from the field on Ghana's new immigration rules. The new labor market testing rules for companies in the oil and gas industry, effective September 1, ...

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> [South Africa Creates Task Force to Improve Implementation of New Visa Regulations](#)

[Emily Liss](#)

South Africa recently introduced a new visa program that created some significant changes in the process to qualifying, applying and changing visas. Some of the changes include ...

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> [Form I-9 Widget Available for Download](#)

[Catharine Yen](#)

Employers can now complete the I-9 Form using a new Desktop Widget that can be downloaded and saved onto desktops. The widget makes it easier and faster to complete the Form I-9. With one click, employers will be taken to an online, fillable Form I-9. USCIS offered this widget to make the form more easily ...

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> [Blue is the New Red – USCIS Switches Ink](#)

[Catharine Yen](#)

Employers and foreign nationals should not be concerned – beginning July 1, 2014, USCIS switched its red secure ink for blue secure ink. This change will affect the following stamps: Department of Homeland Security's Parole Stamp Temporary I-551 Alien Documentary Identification and Telecommunication (ADIT) Stamp Refugee Stamp Asylum Stamp Initial / Replacement Form I-94 Stamp ...

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> [Canada Encourages Business and Tourist Travel from Mexico, India and Brazil](#)

[Rebecca Schechter](#)

Seeking to increase business and tourist traffic from economically booming countries, Canada is expediting its visa process for certain visitors from Mexico, India and Brazil. Canada has implemented the CAN+ expedited visa processing program this year in Mexico, India and Brazil for applicants who have visited Canada or the U.S. in the past 10 years. ...

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> [Indians and Pakistanis Can Obtain Online Visas to Travel to Bahrain](#)

[Catharine Yen](#)

As of October 1, 2014, passport holders from India and Pakistan can obtain online visas to travel to Bahrain. These two countries have been included in the new list of thirty-six nations now allowed to obtain the electronic visa. Through an online application process, E-visas can be obtained ahead of travel, making the process easier ...

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> [ICE Seeks Comments on F-1 'Pathway Programs'](#)

[Christian Triantaphyllis](#)

Last week, Immigration and Customs Enforcement's Student and Exchange Visitor Program (SEVP) issued draft guidance (1210-03) that is of particular note to colleges and universities enrolling foreign students into "pathway programs". The Student and Exchange Visitor Program (SEVP) is currently requesting comments from the public on guidance addressing the certification of a school's pathway program ... [Continue Reading](#)

> [Chinese Authorities Tighten Enforcement Under New Immigration Law; Companies Urged to be Proactive](#)

[Ian Macdonald](#)

As update to our recent blog on China, clients are inquiring into why immigration enforcement and compliance in China is on the increase, yet favorable work authorization measures for foreign workers are being implemented by authorities at the same time. We don't see these two initiatives at odds with each other; rather China is improving ... [Continue Reading](#)

> [Taiwan May No Longer Require Foreign Workers to Leave Every Three Years](#)

[Ian Macdonald](#)

The Ministry of Labor in Taiwan is seeking an amendment to the Employment Service Act, which currently restricts foreign laborers, marine workers, among others to a maximum stay of 12 years as long as they leave the country every three years. The initiative is being welcomed by business and labor leaders in Taiwan who claim ... [Continue Reading](#)

> [NEW Document Requests in PERM Audits](#)

[Scott Decker](#)

The PERM process is first step in the employment-based green card process for many foreign nationals. In this process the sponsoring employer conducts an advertisement campaign as a test of the local labor market to determine if minimally-qualified U.S. workers are available to fill the position. The sponsoring employer can only file the PERM application ... [Continue Reading](#)

> [Staying in Compliance with the Colorado Division of Labor Requirements](#)

[Ali Brodie](#)

Pursuant to the Colorado Employment Verification Law (C.R.S. § 8-2-122), all public and private employers in Colorado must adhere to additional employer compliance requirements, separate and in addition to those mandated by the Federal Form I-9 requirements. All Colorado employers are required to complete the Colorado Affirmation Form (Affirmation of Legal Work Status) for all ... [Continue Reading](#)

> [New Survey Reveals United Kingdom Businesses Hiring Migrant Workers as Part of Rational Business Decisions](#)

[Avani H. Patel](#)

Immigration laws and policies have been the source of major debate throughout the last year in the United Kingdom, with pressure mounting as the next election approaches. Measures have been taken to reduce the amount of migration to the United Kingdom through the enactment of harsher laws and regulations to increase immigration compliance in the ... [Continue Reading](#)

> [Japan Initiates Simpler Visa Process for Filipino, Indonesian and Vietnamese Nationals](#)

Shaun Staller*

The Japanese Embassy in the Philippines stated that the "substantial relaxation of multiple visas" for the Philippines, Indonesia and Vietnam began on September 30, 2014. The decision is a tactical one designed to enhance Japan's image as a tourism-oriented country. The Embassy even said that the country has the long-term goal of attracting 20 million ... [Continue Reading](#)

> [Effective Immediately: India Decentralizes its Visa and Immigration Services](#)

Shaun Staller*

India's Ministry of Home Affairs (MHA) announced on September 30, 2014 that it is delegating nearly all of its visa services to Foreign Regional Registration Offices (FRROs). Services such as extensions, conversions from one type of visa to another, and exit procedures will now be decided by local FRROs rather than by MHA. The transition ... [Continue Reading](#)

> [Positive Immigration Developments Emerge in India for Indian-Americans](#)

[Christian Triantaphyllis](#)

India's Prime Minister recently gave an encouraging speech on India's immigration policies to a crowd of Indian-Americans at Madison Square Garden in New York. The Prime Minister promised immediate reforms for individuals who wish to become Indian citizens by allowing for increased access to the Overseas Citizenship of

India (OCI) card. Individuals who wish to ... [Continue Reading](#)

> [OSC Guidance on I-9 Self-Audits](#)

[Scott Decker](#)

Employers as a best practice should conduct regular self-audits of their I-9s to ensure the forms are completed properly. When, if ever, can an employer, during a self-audit, request to see the documents that were presented by the employee at the time the I-9 was initially completed? The U.S. Department of Justice Office of Special ... [Continue Reading](#)

> [Vietnam Changes its Local Hiring Rules, Reporting Requirements](#)

[Rebecca Schechter](#)

Pursuant to a decree that went into effect last month, foreign organizations in Vietnam may no longer directly recruit Vietnamese employees. Foreign organizations include representative offices of foreign companies, non-governmental organizations and non-profit organizations. Representative offices must now utilize government employment service centers to recruit local employees. The representative offices must submit a written request ... [Continue Reading](#)

> [OSC Settles Immigration-Related Employment Discrimination Claim Against Major Airline](#)

[Scott Decker](#)

For a second time in a week, the U.S. Department of Justice Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) announced it had reached a settlement with a company for immigration discrimination involving I-9 document abuse. The second of its settlements stemmed from wrongdoing by a major airline. OSC's investigation was initiated based ... [Continue Reading](#)

> [Changes to French Work Permit Proposed in Draft Law](#)

[Avani H. Patel](#)

A draft law proposing changes to immigration permit categories for third countries nationals working and residing in France has been published. Parliament will debate the proposed law over the next several months. Among the changes proposed is the elimination of work permits for short term assignments. In addition, the existing scheme for work permits would ... [Continue Reading](#)

> [Employers in CNMI Facing H-Visa Numerical Cap Issues Should Explore the CW Visa Program](#)

Shaun Staller*

Greenberg Traurig recently reported on the looming expiration of the H-1B and H-2B annual numerical cap exemption in Guam and CNMI, while urging local employers to consider filing extensions for any employee whose H-1B or H-2B authorization expires before December 31, 2014—the date the expiration takes effect. With pervasive Congressional deadlock on the immigration front ... [Continue Reading](#)

> [Eleventh Circuit Court of Appeals Says Beneficiary of Approved I-140 Has Standing to Challenge an I-140 Revocation](#)

[Catharine Yen](#)

On September 29, 2014, the United States Court of Appeals for the Eleventh Circuit ruled that a beneficiary of an approved I-140 visa petition has standing to challenge the revocation of a previously approved I-140 visa petition. In this case, Mr. Kurapati was the beneficiary of a valid I-140 petition filed by Worldwide Web Services, ... [Continue Reading](#)

> [France Lessens Work Authorization Application Burden for Master II Level Applicants](#)

[Matthew Galati](#)

Master's Degree students in France who are reaching the end of their programs no longer need to apply for A.P.S. ("Autorisation Provisoire de Séjour") at least four months in advance, a major relaxation of administrative burdens on foreign students and employers alike. According to Decree N°2014-921, such students seeking employment authorization may now file their ... [Continue Reading](#)

> [Global Employers Take Note: Changes to Malaysia Visitor Pass Program](#)

[Rebecca Schechter](#)

Beginning October 1, Malaysia will require e-filing for its Professional Visit Pass (PVP) applications. PVP holders may work in Malaysia for up to 12 months while remaining on foreign payroll, but they must be sponsored by a registered Malaysian company. This filing change also applies to companies under Malaysia's Multimedia Development Corporation (MDeC) that have ... [Continue Reading](#)

> [Update on Duplicate Application Support Center Appointment Notices](#)

[Christian Triantaphyllis](#)

U.S. Citizenship and Immigration Services (USCIS) has recently sent in error duplicate Application Support Center (ASC) appointment notices to individuals seeking to complete their biometrics. The duplicate ASC appointment notices have been issued by the Texas Service Center (TSC) during the last few months. The TSC has advised that for those who do receive duplicate ... [Continue Reading](#)

> [USCIS Automatically Extends EADs for Qualified Liberian Nationals](#)

[Ian Macdonald](#)

U.S. Citizenship and Immigration Services announced that certain Liberian nationals who hold Employment Authorization Documents (EADs) with an expiration date of September 30, 2014, pursuant to the Deferred Enforced Departure (DED), will receive an automatic extension of work authorization through to March 30, 2015. For I-9 purposes, employers should except EADs for affected Liberians that are ... [Continue Reading](#)

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